IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 8084 of 2000

Between:

1 Suriti Channamma W/o Channaiah
R/o Marikal Village , Dhanwada Mandal ,
Mahabubnagar District .
2 Suriti Rajanna S/o Thippaiah
R/o Marikal Village , Dhanwada Mandal ,
Mahabubnagar District .
3 Suriti Veeranna s/o Buddanna
R/o Marikal Village , Dhanwada Mandal ,
Mahabubnagar District .
4 Suriti Ramachandraiah S/o Ramanna
R/o Marikal Village , Dhanwada Mandal ,
Mahabubnagar District .

..... PETITIONERS

AND

1 District Panchayat Officer, Mahabubnagar District, Mahabubnagar
2 Sarpanch, Gram Panachayat
Marikal Village , Dhanwada Mandal ,
Mahabubnagar District.
3 Satyanarayana @ Satyanarayana Goud S/o Laxmaiah
R/o H.No. 2-8/1 , Marikal ,
Dhanwad mandal, Mahabubnagar District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or order more particularly one in the nature of Writ of Mandamus declaring the action of the respondents 1 and 2 in not taking any action against the

respondent No.3 in stopping the constructions for opening the door as well as Drainage line on the road, which is leading from our houses and consequently to direct the respondents 1 and 2 to dispose of my representation dated 27-4-2000.

Counsel for the Petitioner:MR.Y.ASHOK RAJ

Counsel for the Respondent Nos.1 and 2: GP FOR PANCHAYAT RAJ & RURAL DEV.

Counsel for the Respondent No.3:

The Court made the following :

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.8084 OF 2000

ORDER:

The four petitioners are residents of Marikal Village, Dhanwada Mandal, Mahabubnagar District. They own houses in Surityagari Street of the said Village. They allege that third respondent occupied twelve feet wide public road which is being used as cart track to petitioners agricultural land. They further allege that third respondent is making illegal constructions on the encroached land and also opening doors and drainage. They made a representation to Sarpanch of the Gram Panchayat to take necessary action against third respondent in vain. Therefore, they filed the present Writ Petition.

Rule nisi is duly served on the respondents 1 and 2, as well as third respondent. Learned Assistant Government Pleader for Panchayat Raj represented respondents 1 and 2. But, there is no representation for third respondent.

Therefore, the Writ Petition is disposed of directing the Gram Panchayat to take appropriate action under Sections 96 and 98 of the A.P. Panchayat Raj Act, 1994 and remove the constructions allegedly made by third respondent on the cart track, which is the road for petitioners to go to their agricultural works. This exercise may be completed within a period of two months from the date of receipt of a copy of this order.

The Writ Petition with the above observations and directions is disposed of. No costs.

(V.V.S.RAO, J)

21.9.2004

bnr

To

1 District Panchayat Officer, Mahabubnagar District, Mahabubnagar
2 2 CCs to G.P. for Panchayat Raj and Rural Development

High Court Buildings, Hyderabad (OUT)
3 2CD copies